IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

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**WRIT PETITION NO: 3678 of 2005**

Between:

Mallena Shanmukha Rao, S/o. Late Simhachalam,
R/o. Narayanapuram Village, Kurmanadhapuram, Via Pundi Railway Station,
Vajrapukothur Mandal, Srikakulam District.

**.... PETITIONER**

AND

1. A.P. S.R.T.C., Mushieerabad, Hyderabad Rep. by its Vice Chairman & M.D.,
2. The Regional Manager, APSRTC, Srikakulam Region, Srikakulam.
3. The Depot Manger, APSRTC, Tekkali Depot, Tekkali, Srikakulam District.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an order, direction or writ more particularly one in the nature of Writ of Mandamus or any other appropriate writ declaring the action of the respondents in not providing the employment to the petitioner for the post of Conductor, Shramik or any other suitable job under Compassionate grounds is illegal, arbitrary and unjust, and consequently direct the respondent to provide employment to the petitioner for the post of Conductor, Shramik or any other suitable post under Compassionate grounds to which the petitioner is entitled to and pass such other order or orders s this Hon'ble Court may deem fit and proper in the interest of justice.

**Counsel for the Petitioner:MR.G.VIDYASAGAR**

**Counsel for the Respondents: KUM.B.G.UMA DEVI**

**The Court at the stage of admission made the following :**

**ORDER**:

The present writ petition is filed to declare the action of the respondents in not providing employment to the petitioner for the post of Conductor, Shramik or any suitable job under compassionate grounds as illegal and arbitrary.

The father of the petitioner joined as a Driver in the respondent-Corporation in the year 1990 at Tekkali Depot. While he was working as a Driver, he met with an accident at 'Kanyavalasa' while driving the bus on route Visakhapatnam to Palasa. Immediately, he was rushed to Hospital at Tekkali and thereafter he was referred to King George Hospital, Visakhapatnam, where he was succumbed to injuries on 28-07-2004. Owing to sudden death of the petitioner's father, the petitioner, his mother and other family members were put to a distress condition, as there is no earning member in the family. Therefore, the mother of the petitioner made representation to the respondents on 04-11-2004, requesting to provide employment to the petitioner.

Heard learned counsel for the petitioner and learned counsel appearing for the respondents.

Whether the petitioner is eligible for appointment to any suitable post on compassionate grounds, has to be decided by the respondents in accordance with the schemes and rules.

Therefore, without entering into the merits of the case, the writ petition is disposed of directing the respondents to consider the case of the petitioner within a period a two months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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28-02-2005

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vs

**To**

1. Vice Chairman & M.D., A.P. S.R.T.C., Mushieerabad, Hyderabad
2. The Regional Manager, APSRTC, Srikakulam Region, Srikakulam.
3. The Depot Manger, APSRTC, Tekkali Depot, Tekkali, Srikakulam District.
4. 2 CD copies

**THE HON'BLE MR JUSTICE K.C. BHANU**

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Dated: 28-02-2005

vs